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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/529,913	06/01/2005	Francois Duhamel	Q87257	5422
23373	7590	08/22/2007		
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			EXAMINER TRAN, PABLO N	
			ART UNIT 2618	PAPER NUMBER
			MAIL DATE 08/22/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/529,913

Applicant(s)

DUHAMEL ET AL.

Examiner

Pablo N. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

0DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-13 are rejected under 35 U.S.C. 102(a) as being anticipated by Johansson (WO01/28168A).

As per claims 1, 6, 8, and 11-13, Johansson disclosed a method of managing downlink data transfers between a radio access network of a packet-switched communications network and mobile stations, wherein in the event of a request for downlink data transfer to a mobile station, it consists in sending a link set-up request to the mobile station by means of the radio access network and, on reception by the radio access network of a response to the request sent by the mobile station, and setting up a downlink access to send the data to the mobile station (abstract, pg. 1/ln. 28-pg. 3/ln. 25, pg. 5/ln. 29-pg. 6/ln. 26).

As per claims 2 and 7, Johansson disclosed the link set-up request requires the mobile station to send said radio access network an uplink access request and, on receipt of the request, network resources for setting up said

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uplink access are assigned so that the mobile station can send said response to the link set-up request over that uplink access (pg. 5/ln. 29-pg. 6/ln. 26).

As per claims 3 and 9, Johansson disclosed the uplink access request includes a reference identifier recognizable by the mobile station and, on receipt of the uplink access request, the reference identifier is extracted in order to set up said uplink access (pg. 10/ln. 1-pg. 11/ln. 20).

As per claims 4 and 10, Johansson disclosed the response includes a call identifier of the mobile station, known to the network, and, on receipt of the response, the call identifier is extracted in order to set up the downlink access (pg. 10/ln. 1-pg. 11/ln. 20).

As per claim 5, Johansson disclosed the link set-up request is generated by said radio access network access (pg. 5/ln. 29-pg. 6/ln. 26).

Response to Arguments

3. Applicant's arguments filed 06/07/07 have been fully considered but they are not persuasive.

The Applicant's stated that, "Johansson fails to disclose or suggest the features of the claimed invention". In response to the Applicant, Johansson teaches that the radio access network infrastructure (fig. 1/no. 100, 110, 120, 130, 170, 180, 185) handling of packet data transmissions to and from mobile station (fig. 1/no. 140, pg. 1/ln. 28-pg. 3/ln. 25, pg. 5/ln. 29-pg. 6/ln. 26). Furthermore, the applicant does not explicitly stated as to what is the "radio access network". As one skill in the art, the terminology "radio access network" is

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a generic term. Therefore, given the broadest interpretation, Johansson teaches the claim limitations and the rejection is proper.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

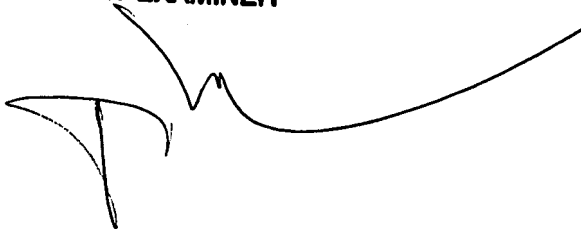
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pablo Tran whose telephone number is (571)272-7898. The examiner normal hours are 9:30 -5:00 (Monday-Friday). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (571)272-7899. The fax phone number for the organization where this application or proceeding is assigned is (571)273-8300.

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5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) System. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-directauspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PABLO N. TRAN
PRIMARY EXAMINER

August 18, 2007

A handwritten signature in black ink, appearing to be 'P. N. Tran', with a long horizontal stroke extending to the right.

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